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Supreme Court, U. S.
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CHARLES ELMORE CROPLEY
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IN THE

Supreme Court of the United States

OCTOBER TERM, A. D. 1946.

No. 1301

JULIUS WEISBERG,
Petitioner,

vs.

ILLINOIS,
Respondent.

PETITION FOR REHEARING

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MAY IT PLEASE THE COURT:

The shooting in this case took place in a saloon frequented by officials of the Bar Tenders Union. Many of them, including the president of the union, were present and witnessed events which, if disclosed, would have mitigated or excused the killing. The defendant re-

ceived a severe beating just prior to the fatal quarrel, not shown in the evidence. Upon being questioned by the police these officials falsely denied their presence in the saloon. The defendant feared reprisal if he should disclose their presence, and as a result the case was submitted to the jury on a false basis. As is shown by his motion herewith, addressed to the Supreme Court of Illinois, the defendant expects to request a hearing on *coram nobis,* in order that these facts may be proved. Meanwhile he requests reconsideration here of his claim (p. 6) that he was convicted upon perjury known to be such. If the State courts deny a hearing, or refuse relief, the defendant seeks an opportunity to support his claim here by further proof which he expects to add to the present record by supplemental proceedings.

We submit that it will be unjust and contrary to the federal rights claimed to permit this execution to take place.

Respectfully submitted,

JULIUS WEISBERG,
Petitioner.

WM. SCOTT STEWART,
Counsel for Petitioner.